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Item 69 (b) of the provisional agenda*
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights and unilateral coercive measures

Report of the Secretary-General

Summary

The present report is submitted in accordance with General Assembly resolution 64/170, in which the Assembly requested the Secretary-General to bring the resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the Assembly at its sixty-fifth session. The Office of the United Nations High Commissioner for Human Rights has received replies from the Governments of Argentina, Belarus, the Russian Federation and the Syrian Arab Republic in response to a note verbale sent out by the Office. The report contains a summary of the response from the Syrian Arab Republic. The summaries of the responses from the other three States are not replicated in the present report since they were submitted in response to both Assembly resolution 64/170 and Human Rights Council resolution 12/22, and thus only a reference is made herein to them. Those summaries are included in the report of the Secretary-General on the same subject matter, which was submitted to the Human Rights Council at its fifteenth session (A/HRC/15/43). The present report also contains a brief analysis of the replies.

* A/65/150.

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I. Introduction

1. In paragraph 14 of its resolution 64/170, the General Assembly requested the Secretary-General to bring the resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the Assembly at its sixty-fifth session, while reiterating the need to highlight practical and preventive measures in that regard.

2. On 1 February 2010, in accordance with paragraph 14 of General Assembly resolution 64/170, the Office of the United Nations High Commissioner for Human Rights sent a request for information to all Permanent Missions to the United Nations. As at 19 May 2010, the Office had received responses from the Governments of Argentina, Belarus, the Russian Federation and the Syrian Arab Republic. The replies from Argentina, Belarus and the Russian Federation submitted in response to both Assembly resolution 64/170 and Human Rights Council resolution 12/22 are included in the report of the Secretary-General submitted to the Human Rights Council at its fifteenth session (A/HRC/15/43).

II. Information received from Member States

Syrian Arab Republic

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3. The Government reiterated its position rejecting all unilateral coercive measures. In particular, the Government underlined its particular concern over national legislation of the United States of America entitled "the Syria Accountability and Lebanese Restoration Act". The Government regarded that this legislation is a violation of international law and negatively affected Syria's exercise of the right to development, among other rights.

4. The Government pointed out that its position on this matter was supported both by the Non-Aligned Movement and the Organization of the Islamic Conference. The Government highlighted that both the Non-Aligned Movement and the Organization of the Islamic Conference considered that the above-mentioned legislation constituted a violation of the principles of international law and of the United Nations and that it constituted a negative precedent for the relations among sovereign and independent States.

III. Analysis

5. With regard to General Assembly resolution 64/170, four States submitted their views on human rights and unilateral coercive measures. Most States responded with reference to the requirements of international law. All reaffirmed their objection to the use of unilateral coercive measures. One State suggested the establishment of mechanisms to monitor the application of unilateral coercive measures within the framework of the Human Rights Council or to do so through the United Nations human rights treaty monitoring bodies. One State expressed concern over national legislation enacted by another State and regarded it as an example of unilateral coercive measures that constituted a violation of international law.